

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
CLEVELAND DIVISION

UNITED STATES OF AMERICA,) CRIMINAL NO.: 1:21-cr-226
)
Plaintiff,)
) JUDGE PAMELA A. BARKER
vs.)
)
)
DAVIS LU,)
)
Defendant.)

UNOPPOSED MOTION TO APPEAR AT FINAL PRE-TRIAL REMOTELY

Now comes undersigned counsel, Friedman Nemecek Long & Grant, L.L.C., and hereby respectfully request that this Honorable Court permit counsel to appear remotely, for the final pre-trial currently scheduled for January 27, 2025, and participate via Zoom, along with Mr. Lu, who was previously granted permission by this Honorable Court.

As the new calendar year has fallen upon us, so have numerous new and existing client matters that require courtroom appearances. On Monday, January 27, 2025, undersigned counsel Nemecek is expected to proceed to a Suppression Hearing in the matter of *United States v. Galasso*, Case No. 1:24-CR-227, which is currently pending before Honorable Bridget M. Brennan. The hearing is set to begin at 8:30 a.m. This leaves undersigned counsel Friedman to appear for conference in the instant matter. Just recently, Attorney Friedman's appearance became necessary for a plea in the matter of *State of Ohio v. Foster*, Case No. 2024CR0799. The matter is being processed in the Medina County Court of Common Pleas and is scheduled to begin at 10:00 a.m. before Honorable William F. Hutson.. The proximity in time between the instant hearing and the *Foster* matter will make it extremely difficult for a timely appearance in the latter case. As such, undersigned counsel kindly moves this Court to allow him to appear, with Mr. Lu, via Zoom. Counsel will be able to engage in the matter without any distraction from the Medina County Court conference room. The undersigned certainly recognize the importance of this

conference and will be prepared under any circumstance this Honorable Court so orders. Counsel does not anticipate any substantive disputes between the parties needing to be addressed at the conference. Should anything so arise from the time of this filing, counsel is confident that Mr. Lu's position can be adequately communicated to the Court via the Zoom platform.

The above request is being made for the aforementioned reason only, and not for purpose of undue burden or delay. Undersigned has communicated the instant request to Assistant United States Attorney Brian Deckert, who does not oppose the request.

WHEREFORE, Undersigned counsel respectfully requests to be physically excused from attending the final pre-trial scheduled for January 27, 2025, and be permitted to participate remotely via Zoom.

Dated: January 23, 2025

/s/ *Ian N. Friedman*
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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion was filed by CM/ECF on the 23rd day of January, 2025, which will send a notification of such filing electronically to the following:
Assistant United States Attorney, 801 Superior Avenue, Cleveland, OH 44113.

Respectfully submitted,

/s/ *Ian N. Friedman*

ERIC C. NEMECEK
IAN N. FRIEDMAN
Counsel for Defendant